titled an act relating to wills, be amended so as to read as follows: Sec. 43. If any provision be made for a widow, in the will of her husband, it shall be the duty of the probate judge forthwith after the probate of such will, to issue a citation to said widow, to appear and make her election, whether she will take such provision, or be endowed of the lands of her said husband, and said election shall be made within one year from the date of the service of the citation aforesaid; but she shall not be entitled to both, unless it plainly appears by the will to have been the intention that she should have such provision in addition to her dower.

Sec. 2. That the original section forty-three of said act be, and the same is hereby repealed.

Sec. 3. This act shall take effect from and after its passage.

WILLIAM B. WOODS,
Speaker of the House of Representatives.
MARTIN WELKER,
President of the Senate.

April 2, 1858.

AN ACT

[No. 43.]

Authorizing the election of one additional Judge of the Court of Common Pleas in the Sixth Judicial District of Ohio.

Section 1. *Be it enacted by the General assembly of the State of Ohio*, That for the sixth judicial district there shall be one additional judge of the court of common pleas, who shall be a resident of the said district, consisting of the counties of Wayne, Holmes, Licking, Coshocton, Knox, Delaware, Richland, Ashland and Morrow, and be elected by the qualified voters of said counties, at the next annual election for state and county officers, in the same manner, and for the same term as is prescribed by law for the election of other judges of the court of common pleas, and who shall be entitled to receive the same salary, and when so elected and qualified, shall have, in all respects, the same jurisdiction, possess the same powers, and discharge the same duties, within said district, as are conferred or enjoined by the constitution and laws of the state upon other judges of said court. And any vacancy that may occur in the office of such additional judge, whether by expiration of his term of service or otherwise, shall be filled according to law. But in all cases of an election to fill any such vacancy, the same shall be done by the electors of said sixth judicial district in pursuance of law.

WILLIAM B. WOODS,
Speaker of the House of Representatives.
MARTIN WELKER,
President of the Senate.

April 8, 1858.

[No. 44.] AN ACT

Defining the jurisdiction and regulating the practice of Probate Courts in the counties of Erie, Lucas, Richland, Holmes, Montgomery, Delaware, Franklin, Scioto, and Jefferson.

Section 1. *Be it enacted by the General assembly of the State of Ohio*, That in the counties of Erie, Lucas, Richland, Holmes, Montgomery, Delaware, Franklin, Scioto, and Jefferson, the probate court shall have, in addition to the jurisdiction now conferred upon it by law, concurrent jurisdiction with the court of common pleas in the punishment of all crimes, offences or misdemeanors, except those the punishment whereof is capital, or by imprisonment in the penitentiary, or those crimes, offences or misdemeanors, the original or exclusive jurisdiction of which is vested in justices of the peace, or in the mayor or magistrate of a town or city.

Sec. 2. All recognizances which shall hereafter be taken by justices of the peace and other officers authorized to take the same, and all transcripts in criminal cases within the jurisdiction of the said probate court, shall be returned to the judge of said court forthwith after the commitment of a person charged with an offence, or the taking of a recognizance for his appearance before the said probate court, unless the person or persons accused shall elect to be tried in the court of common pleas of said county, in which case the justice of the peace or other officer before whom said proceedings may have been had, shall make a minute upon his docket of said election made by said accused person or persons, and thereupon said justice or other officer shall return said transcript and recognizance to the clerk of the court of common pleas in such time and manner as is provided by law in other cases.

Sec. 3. When two or more persons shall be jointly accused and held for trial and one of them shall elect to be tried in the court of common pleas, the justice or other officer shall require all the defendants to appear before that court, and shall return the transcript and recognizance to the clerk thereof.

Sec. 4. In no prosecutions for crimes, or offences or misdemeanors of which said probate court shall have cognizance, shall an indictment by grand jury be required, but in all criminal cases originally brought before said probate court, by filing a transcript and recognizance, the probate judge shall forthwith notify the prosecuting attorney of said county of the pendency of such cause; and thereupon said prosecuting attorney shall file an information in said court setting forth the charge against the accused person or persons, on which information such person or persons shall be tried, and such information may be amended at any time before or during the trial upon such terms as the court may direct.

Sec. 5. All fines imposed by probate judges for crimes shall be paid into the county treasury as soon as the same shall be collected.

Sec. 6. In the exercise of its criminal jurisdiction, the probate court shall be considered a holding terms in said county, commencing on the first Tuesday of every alternate month.

Sec. 7. The prosecuting attorney, if he shall be satisfied that the state will fail in the action, or if the prosecutor shall fail to indorse the information when required so to do, may enter a nolle prosequi on the information.

Sec. 8. If the defendant refuse to answer the information, a plea of not guilty shall be entered.

Sec. 9. Upon a plea other than a plea of guilty, if the defendant do not demand a trial by jury, before the court shall have heard any testimony upon the trial, the probate judge shall proceed to try the issue.

Sec. 10. When the defendant pleads guilty, or is convicted either by the probate judge or by the jury, the probate judge shall render judgment thereon, by fine or imprisonment, or both, according to law.

Sec. 11. When the defendant is acquitted, either by the probate judge or by the jury, he shall immediately be discharged; and if the probate judge certify in his minutes that the prosecution was malicious or without probable cause, he may order the prosecutor to pay the cost of the proceedings, and enter judgment therefor, which may be enforced by execution.

Sec. 12. The fees of the sheriff, witnesses and jurors, shall be certified to by the probate judge or his clerk, and paid out of the county treasury, in the same manner as such fees are now paid for like services in the court of common pleas.

Sec. 13. The probate judge shall be paid for his services in criminal cases, not less than two hundred dollars, nor more than four hundred dollars per annum, out of the county treasury; the amount to be determined by the county commissioners, and paid quarterly; and the probate judge shall tax the fees to which he would be otherwise entitled, and when the same are collected pay them into the county treasury.

Sec. 14. One hundred and ninety judicious persons having the qualifications of electors, shall be annually selected in each of the counties to which this act is applicable, to attend as jurors in the probate court, in the manner prescribed by law for the selection of jurors to attend the court of common pleas: Provided, that until the jurors are selected and returned in accordance with the law now in force the probate judge shall cause to be summoned, for each term, the proper number of qualified persons to serve as jurors, for such terms; and, provided further, that the list of jurors for the probate court shall be delivered to the probate judge by the trustees returning the poll book.

Sec. 15. The names of the persons selected to serve as jurors in the probate court shall be written on separate pieces of paper, and deposited in a box to be provided at the expense of the county, and at least ten days before a term of probate court unless by a written entry in his minutes, the judge shall dispense with or postpone the attendance of a jury he shall, in the presence of the sheriff of the county, proceed to shake the box and draw therefrom twelve ballots, and shall forthwith deliver a list of the jurors drawn, to the sheriff, or a constable of the county, with an endorsement thereon, signed by himself, with his name and seal of of office, to the following effect: A. B., sheriff (or deputy sheriff or constable) of the county of (Erie) to which this is delivered, is required to summon the persons named in the within list to appear before me at, (naming place) on (naming day and hour), to serve as jurors at a probate court to be then and there held. Dated at——, the—— day of——, 185 .

Sec. 16. Each party shall be entitled to two peremptory challenges, and such other challenges for cause as the probate judge may allow, and if twelve jurors do not attend, or be not obtained, the judge may direct the sheriff or other officer in attendance, to summon of the by-standers or others who may be competent, against whom no sufficient cause of challenge shall appear, to act as jurors. When twelve jurors appear, and are accepted, they shall constitute the jury. The failure to attend by any person, when duly summoned, shall be punished as in like cases in the court of common pleas; and the jury when sworn or affirmed shall hear the proofs of the parties, which must be delivered in public, and in the presence of the defendant.

Sec. 17. The officer to whom the list is delivered, shall forthwith summon each of the jurors named therein, personally, or by leaving a written notice at his residence, with some person of suitable age and discretion. He shall, also, at or before the time named therein, return the list to the probate judge, specifying the persons summoned, and the manner of service in respect to each of them.

Sec. 18. The probate judge shall thereupon administer to the jury the following oath of affirmation: "You do solemnly swear (or you do solemnly affirm as the case may be,) that you will well and truly by the issue between the State of Ohio and the defendant, and a true verdict give according to law and evidence. So help you God."

WILLIAM B. WOODS,
Speaker of the House of Representatives.
MARTIN WELKER,
President of the Senate.

April 12, 1858.

SECRETARY OF STATE'S OFFICE,
COLUMBUS, April 13, 1858.

I hereby certify that the foregoing acts are true copies of the original rolls now on file in this office.

A. P. RUSSELL,
Secretary of State.

AUDITOR'S OFFICE,
DELAWARE, April 22, 1858.

I hereby certify that the foregoing acts are correctly copied.

D. W. RHODES,
Auditor of Delaware County.

To Township Boards of Education.

Auditor's Office, Delaware Co. O.,
April 29th, 1858.

GENTLEMEN:—The Legislature having amended Section 23 of the General School Law, passed March 14th 1853, in such a manner as to materially change the levying of Special or Sub-district taxes; I herewith publish, for your better understanding, the following amendment.

"SECTION 23. The Township Board of Education shall have power, when, in their opinion, justice and equity require it, to estimate separately the cost of purchasing a school house site, and erecting or repairing a school house thereon, in any particular sub-district of the township wherein the inhabitants have not heretofore borne a reasonable share of the burden of taxation for such purpose in comparison with other sub-districts in the township, and certify such portion as they may deem just and equitable of the amount of such estimate, to the County Auditor of the proper county, together with a map of the lands and names of the tax-payers in any such sub-district; which amount, so certified, shall be assessed by the Auditor on property therein subject to taxation, and be placed on the county duplicate specially, and be collected and paid over in the same manner as other school taxes, and be applied for the specific purpose of providing a school house in such sub-district: *Provided, That such tax shall not be levied in any sub-district wherein such tax has been heretofore levied, nor in any case shall it be assessed more than once in the same sub-district; and further provided, that such tax shall not be assessed in any sub-district which may be hereafter created, unless the said sub-district shall be composed in whole of territory upon which such tax has not heretofore been levied.*"

The last clause of the section, printed in italics, is additional to the section as it was previous to this amendment. It is highly desirable that its force and import should be correctly understood. It is designed and adapted to limit the application of the section to appropriate purposes. Hitherto the law has, in many instances, been misunderstood and misapplied. This has given rise to numerous abuses and difficulties; in the administration of our school system; the repetition of which will be prevented by the amendment enacted.

It should be distinctly understood that a special, or sub-district tax, can be levied for no other purpose, whatever, than for the "cost of purchasing a school house site and erecting or repairing a school house thereon;" and that even this tax cannot again be levied in "any sub-district wherein the same has been heretofore levied, nor in any case shall it be assessed more than once in the same sub-district."

As this amendment took effect on its passage, it will become necessary that special meetings be held by all Boards of Education which may have, at the meeting on the 19th instant, taken action not consistent therewith. For this there will be abundant time, as estimates are not required to be made to this office till the first Monday in June.

D. W. RHODES, Aud. Del. Co.

The Cleveland Plaindealer, has a long editorial advocating a fusion of the Republican and Douglas Democracy, and forming a great National Party, the basis of which shall be that the people of the Territories shall be left free to form their domestic institutions in their own way.

BRODERICK, the new Democratic Senator from California, very appropriately closed his late Anti-Lecompton speech in the following words:

"But why enumerate these disgusting details? The facts are before the people.—They are known to the President. He continues to keep the men in office who are charged with the commission of these frauds. The result of all their enormity is before us, in the shape of this Lecompton constitution, endorsed by him. Will not the world believe he instigated the commission of these frauds, as he gives strength to those who committed them? This portion of my subject is painful for me to refer to. I wish, sir, for the honor of my country, the story of these frauds could be blotted from existence. I hope, in mercy, sir, to the boasted intelligence of this age, the historian, when writing a history of these times, will ascribe this attempt of the Executive to force this constitution upon an unwilling people, to the fading intellect, the petulent passion, and trembling dotage of an old man on the verge of the grave.

OHIO'S PROGRESS.—The old Hartford Courant has heard of Ohio, and thus astonishes its readers:

It was seventy-one years on Wednesday, since, the emigrant party from New Hampshire landed at Marietta, Ohio. This was the first permanent settlement of the white inhabitants in that territory. Among those who went with the infant colony were Gen. Lewis Cass, Ex-Governor Woodbridge, of Michigan, and D. Hildreth, who yet live to enjoy a hale and vigorous old age. Thomas Ewing delivered an oration at Marietta, that day, at a celebration of this interesting anniversary. What a change in seventy-one years! Ohio has now 2,500,000 people, industrious, enterprising, intelligent. She has $850,000,000 of taxable property. $3,500,000 in school houses, and at annual school tax for the education of all her children of $2,500,000, and more miles of canal and railroad than any State in the Union. How wonderful has been her growth and her progress in all the elements of material, moral and intellectual wealth!

KILLED BY A POLICE OFFICER.—The Cincinnati papers of Tuesday give an account of the death of John Jeffries, a carpenter aged about 50 years. He and his son were on a spree, and were staggering about the streets, and got into an altercation with police officer Joseph Blair, who struck Jeffries a blow, causing him to fall heavily on the pavement. He lived till 7 o'clock next night, when he died. An inquest was held, and the jury returned a verdict that he came to his death in consequence of a blow inflicted by Joseph Blair. Blair has been held by Judge Pruden to bail in the sum of $2,000 to answer to the charge of manslaughter.

MRS. CUNNINGHAM BURDELL.—It is intimated that new developments have transpired within the last few weeks that warrant the supposition that this woman will yet be subjected to a new trial for the murder of Dr. Burdell. It is said that new phases of this extraordinary case will soon be made public, and the chief incidents of that horrible bloody drama will be reinvested with still more thrilling interest unless money and influence again smother it.—[Buffalo Commercial.

FUNERAL OF THE REV. DUDLEY A TYNG.—If we except the funeral obsequies of Dr. Kane, which took place on the 19th day of March, 1857—which were of a public character—there has not been a funeral service in this city for many years, in which as great a number of our citizens manifested a desire to participate, as that which we are now about to chronicle.

The announcement in the morning papers that the funeral services of Dudley A Tyng were to take place at Concert Hall on the afternoon of yesterday, was the signal for bringing thousands to that locality, even long before the appointed hour. Immediately after the adjournment of the mid-day prayer meeting at Jayne's Hall a large number of persons, chiefly ladies, proceeded to Concert Hall, to secure an early admission in anticipation of a crowd. At two o'clock precisely the doors on Chestnut street were thrown open, but to the astonishment of those who attempted to enter the hall was even at that hour found densely filled with persons who had been admitted from the rear entrance, beginning as early it is said, as 10 o'clock in the morning. Towards 3 o'clock—the hour at which the services were announced to commence—the throng of applicants for admission became immense. The front entrance had been cut off from sheer want of room to receive any more into the space allotted to those who were not specially invited to be present and at the rear door the most rigid scrutiny enforced in order to admit no new comers but the following: Clergymen and their wives; members of the Church of the Covenant, of which Mr. Tyng was pastor; Sabbath-school teachers and pupils belonging to the congregation; members of the Young Men's Christian Association, and the immediate members of the family. The disappointment in not being admitted was exceedingly painful to many. Even the ladies were uniformly subjected to this absolute refusal. Every plea imaginable was resorted to, but to no effect.

At five minutes after three o'clock, the hearse arrived in front of the hall. At this time there could have been no less than ten thousand persons collected on Chestnut street, within a square of the hall, awaiting the funeral cortege.

An opening way being made to admit the coffin, several Episcopal clergymen were stationed at the foot of the aisle to receive it. The appearance of the coffin containing the body of the departed one was the signal for a burst of grief, such as it has rarely been our lot to witness in a public assembly, and as the remains were conducted along the aisle, followed by several clergyman who were headed by the venerable bishop, (who as he moved along, repeated a portion of the Episcopal burial service,) audible sounds of sorrow and lamentation were heard in every part of the house.—[Phil. Press.

CURIOUS CONGRESSIONAL MATERIALS.—Among the items which go to make up the expenditure of the contingent fund of the National Congress, we find: Ladies raticules $242; Ladies portmonnaies $247; Pearl shopping tablets $247; Albums, plain and illuminated $232; Odor cases $121,50; Cigar cases $94,50; Dressing cases $645; Card cases $177; &c., &c. These will certainly strike the unilluminated reader, as remarkable items to be charged to the national treasury and furnished to members of Congress. The *Tribune* says if there be not ten thousand seven hundred and sixty-two dollars and ninety-seven cents expended for *crinoline* in the contingents of the House in 1858 we can still live in hope that we shall find it in the bills for 1859 or 1860. We don't see why the whole house-keeping articles of a member who prefers to have his house at Washington may not be furnished by the Government with quite as much propriety as the articles here enumerated; and such doubtless will be the case, in virtue of the natural growth and progress which pertains to such things, before a great while. That is one of the ways the money goes.

MURDER.—We learn from a private letter that there has been a horrible murder committed near Kalida, O. An old gray-headed woman, some sixty years of age, scalded her husband, who was about the same age, very severely, and then beat his brains out with an iron wedge. She has been arrested, and is now in Kalida jail. The writer of the letter had not learned the old womans reasons for the committal of such atrocity.—[Dayton Gazette.

Shocking Affair in Fairfield County.

On Monday evening of this week, we are informed by Dr. O. E. Davis, Miss Sarah J. Nisley aged fifteen years, in company with her little brother, were engaged in burning brush upon their father's farm, some distance from the house, when her clothes caught fire and she was fatally burned. It appears that finding her efforts to extinguish the flames unavailing, she started for the house, after running about one hundred yards was compelled to yield to the burning element in which she was encompassed, and sank to the ground. Her little brother ran to the house and alarmed the family, who hastened to her aid, but alas, came too late—came only in time to see one of their family group struggling in the solemn embraces of death, her clothing being entirely consumed, and the whole surface of her body completely charred. She suffered the most excruciating pain for five hours when death came to her relief.—[Lancaster Gazette.

A SENATOR ELECTED BY A LOVE LETTER.—In a certain town in this state, a letter arrived for a young lady from her lover. on the day of election. The Post-master, as is not unfrequent in rural districts, knowing the eagerness with which a message of that tender character would be excepted, took upon himself the pleasing duty of delivering it; but first, like a good Democrat, he must vote, and of course in a seperate self-sealing envelope. This was duly prepared, with the Democratic ticket safely enclosed, and the gluten stuck together. Stopping at the town meeting he deposited the letter in the ballot box and proceeded with the seperate and self-sealed envelope to the house of the blooming maiden, to whom he gallantly handed the entire Democratic ticket, state and town.—How the lady interpreted the missive we do not know, but the moderator and clerk ungallantly refused to count the love letter, and the Republican candidate was declared elected by one majority.—[Providence Journal.

IMMENSE AMOUNT OF MONEY ON DEPOSIT IN THIS COUNTRY.—In the banks of the four great cities of this country—New York, Boston, Philadelphia and New Orleans—there were last week on deposite no less than one hundred and twenty-eight and a quarter millions of dollars, an increase on the previous week of nearly two millions of dollars. This does not show any great revival of business in the country at large. In Boston, previous to the late financial crisis, the amount on deposit in the various banks of the city was not much over fourteen millions of dollars; it is now twenty and a half millions. The specie in the banks of the four cities last week was fifty-seven millions five hundred thousand dollars; the previous week, fifty-five millions eight hundred thousand dollars—an increase of a million and a half in one week. In Boston, within the past six months the amount of specie in the banks has about doubled.—[Boston Traveler of April 17.

GRAPE CULTURE IN THE SOUTH AND WEST.—Prof. G. C. Swallow, State Geologist of Missouri, in a recent letter to the Patent Office, suggests the idea that the extensive areas in Kentucky and Tennessee, known as the 'barrens,' may be rendered valuable for vineyards. Should this prove true, the numerous caves contained in the limestone would become very valuable as places of storage for wine. He says that there seems to be no doubt that it can be demonstrated to the satisfaction of all intelligent wine-dressers that there are at least 20,000,000 acres of land in Missouri, Kentucky and Tennessee on which the vine will succeed as well as in France or Germany.

SENATOR SUMNER'S HEALTH.—Mr. Sumner is still in feeble health. Several days ago he visited Washington for the purpose of voting on the Kansas question, but he was, on Thursday evening, in consequence of his weakened physical condition, obliged to return to his retreat in Philadelphia. He is obliged to walk slow and with measured step and complains of much pain in the back. It seems to us that he should take his mind away from public cares, and endeavor, by a avoidance of political excitement and strife, to restore himself to perfect health.—[Boston Courier.

A shocking accident, which will undoubtedly prove fatal, happened about three miles from the city last Wednesday, in a saw mill owned by John W. Brice. A man by the name of McGraw was sawing in the mill, and was in the act of adjusting a log on the carriage, when he slipped and fell, his face striking on the teeth of the saw while it was in motion, cutting nearly off one-half of his head. It is the opinion of the attendant physician, Dr. Roe, that the man will die.—[Newark American.

IS IT REBELLION!—Why does not Mr. Buchanan proclaim the House of Representatives in a state of rebellion! How long is he going to submit to this trifling with his authority! Not a day passes that he is not openly withstood in the face and eyes of all the world. It is becoming a matter of scandalous notoriety that his word is no longer law. Even his own party in the House hesitate about obeying orders, and are losing all sense of discipline.—*St. Louis Dem.*

We learn from the St. Louis Democrat that Mr. Payne, a Free Democrat, who stands opposed to the Lecompton policy of slavery extension and its kindred heresies, has been elected Mayor of Kansas City, Mo., by a handsome majority. This is a gratifying sequence to the brilliant Free State victories at St. Louis and Jefferson City.

The Washington Union of the 18th says to Messrs. English, Harris, Montgomery & Co., "You are renegade democrats, engaged in the work of erecting miserable entrenchments for abolitionists to skulk behind!"—To Marshall, Gilmer, Underwood & Co., he says: "You are fly-blown Know Nothings, who are seeing how low you can descend in the well of political perdition!"

The Washington correspondent of the N. Y. Post, writing on Saturday last says:

Calhoun, Clarkson, Henderson, McLean, and the whole candle-box tribe of border-ruffians, have left here for Missouri. Efforts have been made to allow them to return to Kansas to settle up their affairs. This may be done. The criminal process against some of them will probably be served.

Captain Ward of the barque Hyperion, from Trindad, (Port Spain) arrived at New York yesterday, reports having touched at West End of St. Croix, about 2d inst., and that a schooner had just arrived at that place full of passengers, fleeing from an insurrection that had taken place on that island. An English war steamer, lying at West End, immediately got under way and proceeded to Antigua. No further particulars are given.

CURIOUS WILL.—The will of Gov. Blatchett, of Plymouth, proved in 1783, contains the following singular clause:

"I desire my body to be kept so long as it may not be offensive, and that one of my toes or fingers may be cut off, to secure a certainty of my being dead. I further request that my dear wife, as she has been troubled with one old fool, will not think of marrying a second."

THE CASE OF LOEFFNER.—We understand that Governor Chase, has in the case of Joseph Loeffner, who was convicted of the murder of Mr. Horton of Cincinnati, and who was under sentence of death, respited him, changing the death penalty to imprisonment for life. The presumption is very strong, amounting almost to a certainty, that the unfortunate man is a lunatic.

The Gazette.

A. THOMSON,
EDITOR AND PROPRIETOR

Delaware, April 30, 1858.

CONGRESS.—In the Senate the report of the Kansas conference committee has been under consideration, and at last accounts was not disposed of. It will of course pass that body, though Messrs. Crittenden and Bell, Douglass, Stewart, Broderick, and all the Republican Senators oppose it.

The House has again defeated the Deficiency Bill, by refusing to agree to Senate amendments—which will probably lead to another committee of conference. The bill proposing to grant pensions to the soldiers of the war of 1812 has been under consideration in committee of the whole and its author, Mr. Savage, of Tenn., made an eloquent appeal in favor of its passage, but nothing had yet transpired to indicate its probable fate. The report of the Kansas conference committee was also at last advices before this body, and was probably disposed of yesterday. It is a miserable juggle and dodge, but supported as it is by the Administration forces, and having been acquiesced in by a number of the anti-Lecompton Democrats, it will probably be adopted, unless, as there was some probability, enough of the ultra southern members bolt to defeat it. Mr. Stephens, the acknowledged leader of the Administration forces in the House, and a member of the House committee of conference, declared emphatically on Wednesday last in answer to a question, that the English project *does not* submit the Lecompton Constitution to a vote of the people. It does, however, offer the citizens of the territory an immese bribe in the shape of public lands if they will vote in favor of coming into the Union under it, and provides for keeping them out for an indefinite length of time if they refuse.

The "Standard" attempts a defense of the Democratic Sub-Treasury scheme. It is labor in vain, however. The people can understand and appreciate a measure of the kind, and will not fail to hold its authors and defenders to a strict accountability. He conjures up a serious difficulty in the present system, predicated upon the liability of the proprietor of the Bank in which the funds are deposited to die, in which case he insists the funds would go into the hands of an Administrator or Executor, and be beyond the reach of the county, perhaps for years.—We presume a Bank may fail and a banker may die, as well as a sub-treasurer may be robbed or a sub-treasurer prove unfaithful to his trust—but, though not very familiar with the modes of doing business adopted by bankers or brokers, we are inclined to think that even in the event of the happening of the contingency referred to, the public funds would not be beyond the reach of those entitled to withdraw them—but be that as it may, these fat-fetched and fine-spun contingent difficulties have not a feather's weight when put in the balance with the gross, palpable and self-evident defects, crudities and absurdities of this pet Democratic measure.

Our neighbor seems to have an especial aversion to brokers—a class that we are under no obligations to, and do not feel called upon to defend. But viewing them as he professes to, the advocacy of this measure is a matter of surprise—for one of the direct and inevitable effects of the bill is to especially favor them, and vastly increase their number by compelling every County Treasurer in the State to become a broker in the most odious sense of the term—a regular and systematic sorter of bills, for the purpose of running them home on the banks and withdrawing their specie.

COL. JOHNSON, who has thus far so successfully encountered and overcome all the difficulties as commander of the Utah forces, and who would doubtless have continued to carry out successfully the instructions of his superiors, has been superceeded by order of the President. This step is explained by those conversant with Executive action and motives by the fact that he is a Kentuckian, and an especial friend of Senator Crittenden, whose able and manly opposition to the Lecompton swindle has made him especially odious to the fire-eaters and their patron the President—and as the Senator himself cannot be reached, he is to be punished by having his particular friends proscribed.

THE STATE JOURNAL—Gen. WM. SCHOULER, for the last two years editor of this sheet, takes leave of its readers in the issue for Tuesday last. He retires for the very good reason that he 'can do better' elsewhere, and designs returning to Boston, his old home, where he will resume his old vocation by assuming the editorial control of one of the daily journals of that city. The General is a genial, warm-hearted gentle man, an experienced and able editor and though oppressed in his late situation by that most depressing of all newspaper affections, the want of a generous, remunerating and merited support from the party whose cause it advocates, he made the Journal an interesting and valuable sheet, and a most efficient laborer in the good cause. We wish him abundant success in his new field of labor.

The successor of Gen. S. has not yet been designated—but in the meantime his late partner, Mr. GARDEWER, will occupy the tripod, and acceptably too, we doubt not, as he is a gentleman of fair ability and considerable experience in the business.

The trial of IRA STOUT, at Rochester N. Y., for the murder in connection with his sister, Mrs. Lattes, of the husband of the latter, has resulted in his conviction, and he has been sentenced to death. The fate of the sister will doubtless be the same. The killing was admitted by the accused, who claimed that it was not premeditated, and hoped to escape with a conviction for manslaughter.—The evidence against him was, however, conclusive as to his guilt of deliberate murder. The principal witnesses were the mother and brothers of the accused, and a child of the deceased, and the evidence developed one of the most terrible tragedies on record. The deceased, who seems to have been a licentious and depraved man, was inveigled to the bank of the Gennesee river, above the falls, murdered and thrown over, his murderers going down the enbankment with him, sustaining serious injuries, and leaving on the bushes and crags sundry arricles of jewelry pur clothing, by means of which they were detected.

The split in the ranks of the Democracy of Illinois seems to be irreparable.—There were recently two State Conventions held at Springfield—one by the Douglas men; the other by the Buchanan branch of the party; and the antagonism was so great that the speakers of the respective bodies abused each other without stint in the most approved style of Tammany Hall blackguardism. The Douglas men nominated a ticket, and the Buchananites resolved to meet on a subsequent day for that purpose. The Douglas assemblage was far the most numerously attended, and the counties represented greater by three to one than those of the opposing body. The Douglas men, however, stultified themselves and injured their cause by passing resolutions eulogistic of Buchanan. If they hope to get Republican aid to return their chief to the Senate, we opine they will have to change their tune materially in that respect.

Mr. C. L. VALLANDIGHAM, the ambitious young gentleman who has made such long-continued and persevering efforts to get into Congress from the Montgomery district, and who was so much elated during the early part of the present session by the prospect that through the operations of partizan feeling he would succeed in ousting the Hon. L. D. Campbell and securing his seat, is likely to have his hopes again blasted. Late reports from Washington state that the committee will report in favor of the right of Campbell to the seat; and even should they report otherwise, and the report be adopted, which is now not very probable, the contestant would only be able to enjoy his honors during the short session, with but little probability of a re-election.

The recent destruction by fire of the steamer Ocean Spray, a short distance above St. Louis, was a most distressing affair, according to the details furnished by some of the survivors. From twenty to thirty lives were lost, and the accident was the result of racing and criminal carelessness on the part of those in charge of her—the fire having caught by coals from the furnace being raked out and coming in contact with a pile of wood saturated with turpentine and a barrel of that inflamable liquid near by, while were being used to get up steam.

We find the following in the Cincinnati Commercial of yesterday:

Cin. Dayton & Cleveland.—The Presidents, with other officers of the Cleveland & Columbus and Cincinnati, Sandusky, Dayton & Cincinnati, Springfield & Delaware, and the Cin., Ham. & Dayton Railroads, met at Dayton yesterday, to arrange for the permanent re-opening of the short line route to Cleveland via Dayton, Springfield and Delaware.

PUBLIC LANDS FOR COLLEGES.—The House yesterday by a vote of yeas 104 to nays 101, passed a bill appropriating an immense slice of Uncle Sam's big farm to a good use, the endowment of Agricultural colleges in the several states. Over six millions and a quarter of acres are thus appropriated by the bill, to be divided among the States in amount equal to 20,000 acres for each senator and Representative to which the States are now respectively entitled, the money derived from the sales to be invested in United States and other stocks yielding not less than 5 per cent., to constitute a perpetual fund, the interest of which shall inviolably appropriated to the endowment and support of Colleges in which such branches as relate to Agriculture and the Mechanic Arts shall be prominent studies, but without excluding other scientific or classical instructions. The great object of the institutions shall be to promote a liberal practical education of the industrial classes in the several pursuits and professions of life.

The enactment of this bill will go far to redeem the character of the presen Congress which so far had been a struggle of the minority to prevent the abasement of man and the leading pursuits of the masses by the Administration majority, rather than a harmonious and ennobling effort to elevate the race and make honorable the labor of the toiling millions. We hail the action of the House of Representatives as an augury of good import

THE MISSISSIPPI FLOOD.—Despatches from Memphis state that the whole country below there is again overflowed by the waters of the Mississippi, and that the utmost distress prevails. The crevasse near Baton Rouge was nearly closed on the 16th. Over 2000 acres of plantations had been submerged by it. The river was over the levee in many places between Bayon Sara and New Orleans, and opposite the city the crevasse was working ruin to the country.

THE TURF.—Mr. Ten Broeck leaves New York for England on Wednesday next, to again contest the palm of superiority of the American and English race horses. He has already sent over the famous "Charleston," by imp. "Sovereign," out of "Millwood," by imp. "Monarch." "Charleston" is a flyer, and has won some of the fastest races in America.

POPULATION OF CITIES IN OHIO.—The population of the principal cities of this State are as follows: Cincinnati, 200,000; Cleveland, 60,000; Columbus, 25,000; Dayton, 26,000; Toledo, 14,000; Zanesville, 12,000; Chillicothe, 10,000; Steubenville, 10,000; Sandusky 12,000; Springfield, 8,000. No other city has more than 5,000.

A correspondent of the New York Tribune insists that the Minnesota Constitution now before Congress for acceptance, and passed the Senate, through some blunder makes the present Representatives in the Legislature elected for life, and provides no mode of filling their seats even after their death.

LOW PRICES AT THE WEST.—A correspondent of the Burlington Free Press writes from Saint Charles, Illinois.

"Times are hard and dull. Produce is worth nothing; wheat 42 cents. corn 24 cents, oats 19 cents, butter 12 cents, eggs 4 cents, and other things in proportion."

The people of St. Louis have taken the initiatory steps to erect a suitable monument in that city to the memory of the Great Missourian.

EDITORIAL CASUISTRY.—A Pennsylvania editor says:

"Somebody brought one bottle of sour water into our office, with the request to notice it as lemmon beer. If Esau was greeneenough to sell his birthright for a mess of pottage, it does not prove that we will tell a four-shilling lie for five cents."

The twenty three counties in Southern Illinois, the "land of Egypt," that gave Buchanan 20,000 majority in 1856, have recently in their Conventions indorsed Douglas and have passed resolutions against that Lecompton swindle.

The Ohio Statesman, upon receiving in full the Bill of Mr. English, denounced it. It says:

It is an evasion from first to last, and admirably calculated to suit nobody who has positive principle of any sort. We suppose that is what it was adopted for. It is neither flesh, fish, nor red herring. Practically it will enable the people of Kansas to reject the Lecompton Constitution; theoretically, it pretends that it only submits the land ordinance. We admire the ostrich like sagacity of the device!

NEWS ITEMS

Fernando Wood and his clique were defeated on Monday in the election of Sachems in the Tammany Hall election in New York.

Wm. Burnett, a drunken man, killed his own sister, Sarah Burnett, last week in Rutherford county, Tenn., by striking her with a club.

AWFUL CALAMITY.—The cabin of Mr. Shafer, near Manhattan, Kansas, was destroyed by fire about two weeks ago, and four small children were burnt to death.

Mrs. Shewell fell dead of disease of the heart, while dancing the "Lancer's Quadrille," at a ball in Philadelphia, at one o'clock on Thursday morning.

Returns from 419 towns of Michigan elect 278 Republican Supervisors, 138 Democrats, and 4 Unionists. This shows a large Republican gain on last year's elections.

The Troy *Times* describes "blasted hopes" to be "marrying a woman with the expectation of getting her with $30,000, and when the union is consummated to be presented with a bill for last year's board."

The N. Y. Post's Washington correspondent says of the fight in the House between Craig, of N. C., and Helper, that Craige though the largest man got decidedly the worst of it.

A Westphalian Prussian Court of Justice has decided that a husband has no right to open his wife's letters, and sentenced one to a fine of ten thalers for doing so. Of course the rule works the other way also, and must tend to promote family peace.

Elihu Burritt, the well known lecturer, is to publish a paper in New Britain, Ct. It is to be called the North and South, and will be devoted mainly to the advocacy of Mr. B's plan of effecting the gradual abolition of slavery by compensation to the owners.

About a week since, a woman was burned to death in Lockport, Licking county, by her clothes taking fire. The Newark *North American* says that she and her husband were both in a state of *beastly* intoxication at the time.

END OF THE SPRINGFIELD TRAGEDY.—W. Mack Booker, who killed Ben Hardin Palmer, in Springfield, Ky., on April 3d, died of his wounds on Saturday last. Thus ends one of the most fearful tragidies that ever occurred in Kentucky.

The St. Louis *Republican* (pro-Slavery) says that the question of the next Fall's election in Missouri is clearly and distinctly emancipation, and that the abolition of Slavery in the State is only to be prevented by the success of the Democratic party.

Oliver G. Howard, a cattle-drover, from some part of Ohio, was garroted in Philadelphia, on Wednesday evening last, by two or three desperate negroes. He was robbed of but forty-odd dollars, having luckily before going out, deposited some $1,800 with his landlord.

It has been popularly presumed that as Col. Benton had been so long a conspicuous man, he was therefore rich. Upon his death it has been discovered that he was poor.—There is a mortgage of $10,000 on the house in which he lived. All honor to him for the fact that he was incorruptible.

A SAD FATE.—The Nebraska correspondent of the St. Louis Democrat writes that Governor Cumming's illness was protracted several months, and that no disease is assigned as the cause of his death, "but it is an undeniable fact that he died of 'rot-gut' whisky and licentiousness."

The United States steam-frigate Susquehanna, Capt. Joshua R. Sands, arrived at New York on Thursday evening from Nicaragua, via Port Royal, (Jamaica) where six officers and fifty-seven men were landed sick with yellow fever. She has had one hundred and fifty-five cases in all, and seventeen deaths are known. She is now detained at quarantine below New York.

Colonel Thomas Hart, Benton's uncle, and from whom he was named, lived in Lexington, Kentucky, of which city he was one of the founders, and was celebrated for his benevolence and hospitality. It was through a marriage with his daughter that Henry Clay became related to Col. Benton.

GOOD SIGN.—The Custom House returns are a fine commentary on the power of the American people to retrench and recuperate. The reduction of importations at New York for the months of January, February and March, amounts to the enormous sum of thirty six millions, compared with the previous year.

Miscellaneous Enigma.

I am composed of 86 letters.

My 29 40 47 38 48 4 55 9 63 was a renowned conqueror of antiquity.
My 7 49 17 31 36 71 is an American poet.
My 13 26 28 25 42 19 60 21 is a beautiful science.
My 18 16 53 83 76 68 81 is a United states senator.
My 80 67 33 72 66 21 25 9 93 was a great female warrior.
My 44 61 85 72 15 49 13 35 is a either true or false.
My 24 14 82 77 64 22 43 12 36 2 78 is a prominent trait in our characters.
My 3 32 66 58 11 did honor to the American arms in Mexico.
My 46 39 57 60 30 25 8 86 72 75 is one of the Constellations.
My 18 62 31 68 45 24 60 56 is one of the united states.
My 50 42 60 73 67 80 was a mighty emperor but unsuccessful warrior.
My 27 66 52 79 59 we should keep in the mind.
My 76 36 85 4 1 is a beautiful field flower.
My 45 72 1 70 65 7 decorates the architecture of modern dwellings.
My 23 43 37 78 54 74 is an ejaculation of discouragement.
My 5 34 69 34 66 72 52 48 was emperor of Rome.
My 20 6 24 17 22 51 is a great earthly blessing.
My 54 68 41 continually in time changes.
My whole is a brief description of the great wealth of a king of antiquity. A

Geographical Enigma.

I am composed of 23 letters.

My 9 16 14 is a county in Iowa.
My 5 14 .